

REMARKS

Reconsideration is respectfully requested.

Claims 1 through 4 and 6 through 19 remain in this application. Claims 5 and 20 through 21 have been cancelled. No claims have been withdrawn. Claims 22 through 28 have been added.

Paragraph 1 through 11 of the Office Action

Claims 1 through 4, 6, 7, 9, 10, 13 through 15, 18 and 21 have been rejected under 35 U.S.C. Section 103(a) as being unpatentable over Gaukel in view of Granneman.

Claims 8, 16 and 17 have been rejected under 35 U.S.C. Section 103(a) as being unpatentable over Gaukel as applied to claim 1 in view of Miyashita.

Claims 11 and 12 have been rejected under 35 U.S.C. Section 103(a) as being unpatentable over Gaukel as applied to claim 1 in view of Leibowitz.

Claim 1 requires, in part, "illuminating means for illuminating the interior compartment of the receptacle".

It is conceded in the rejection of the Office Action that:

Gaukel does not disclose illuminating means for illuminating the interior compartment of the receptacle.

And it is then asserted in the rejection that:

However, illumination interior compartment of receptacles such a bag or a briefcase has been known in the art of illumination at the time of the invention, and Granneman shows a handbag having an illuminating means for illuminating the interior compartment of the handbag (col. 2, lines 12-25).

It is then further contended that:

Although Gaukel does not teach the lamp (82) is illuminating the interior compartment of the receptacle, it would have been obvious to one having ordinary skill in the art at the time the invention was made to substitute Granneman's illumination means with Gaukel's lamp in order to illuminate the interior compartment of Gaukel's receptacle.

However, it is submitted that one of ordinary skill in the art, considering the disclosure of the Gaukel patent, would not be led to making the allegedly obvious combination with Granneman set forth in the rejection of the Office Action.

More specifically, the Gaukel patent discusses a light that is "provided on the outside face of the bag", and, as acknowledged in the rejection, does not provide any light to the interior of the "cellular bag". See, for example, the Gaukel patent at col. 15, lines 40 through 61, where it states (emphasis added):

FIG. 3 is a pictorial representation of the cellular bag 30 and associated external components and the connection to wristband 20. As seen in this figure, the major external identifiable components of cellular bag 30 comprise the waist or shoulder strap 31, the cellular antenna 35, and the GPS receiver antenna 33. The cable 68 is illustrated connecting the cellular bag 30 and the wristband 20 as discussed above. Cable 68 is operative to connect cellular bag 30 and wristband 20 providing communication and/or power therebetween. Lamp 82 is provided on the outside face of bag 30. Lamp 82 may be provided to alert the monitored person to an alert condition such as position violation as well as battery low condition or the like. Speaker 56 is provided to give an audio warning in addition to the visual warning provided by lamp 82. Also shown in the figure is the wrist strap 27 used to maintain the wristband 20 in position. Strap 27 also functions as a continuity strap used in conjunction with continuity detector 22 in order to provide an indication of removal or attempt at removal of the wristband 20. Finally, FIG. 3 illustrates one conventional battery charging apparatus 52 with a conventional rechargeable battery 38 installed therein.

It is submitted that the Gaukel patent thus does not provide one of ordinary skill in the art with the motivation to "substitute Granneman's illumination means with Gaukel's lamp" as alleged in the rejection, as this would destroy the function of the lamp on the Gaukel bag for providing an "alert... to the

alert condition" regarding a "position violation" or a "battery low condition". One skilled in the art would not modify the structure of the Gaukel apparatus in a manner that would eliminate at least two of its functions, and it is submitted that moving the lamp from the "outside face of the bag" to a position that would "illuminate the interior compartment" of the Gaukel bag would not allow the same functionality as is provided by the unmodified bag. Further, Gaukel at col. 15, line 62 through col. 16, line 10 states (emphasis added):

FIG. 4 is a further enlargement of some of the internal components of cellular bag 30. Illustrated in this figure are the GPS receiver 32, the internal components of the cellular antenna 35, the cellular phone and modem communication apparatus 34, the connection cable 68, the central processing unit 36 and the GPS antenna 33. Also shown are the sources of electrical power for the "individual worn" components, namely batteries 38 and 58. Finally, the figure illustrates speaker 56 and lamp 82. Speaker 56 and lamp 82 are used to provide an indication to the monitored person that he has exceeded compliance limits. In the "use arrest" situation, depending on the severity of the crime, the individual might be provided a certain limited time to correct the violation prior to action being taken. Speaker 56 and lamp 82 provide him with both a visual and audio indication that this "grace period" has begun.

It is believed that this portion of the Gaukel patent, which sets forth additional functions provided by the lamp positioned on the outside face of the bag, provides further evidence why one of ordinary skill in the art would not make the substitution set forth in the rejection, which would severely hamper, if not completely remove, the functionality discussed here.

Further, while the Gaukel patent describes a "cellular bag", it includes no mention of any ability to access the "interior compartment" of the "bag" that would suggest that anything can be placed in the "bag" by the user and then removed from the bag by the user, such as would be possible with a true "handbag" of the type described in the Granneman patent. Figure 4 of the Gaukel patent depicts a "cellular bag" having an interior that is full of electronic components mounted on the wall of the "bag" that are clearly not intended to be removed from the interior and which make the interior

unsuitable for receiving and carrying loose items that need to be easily removed. Gaukel discusses the monitoring and tracking function of the system and how these components provide this function for, as an example, parolees and military personnel, and it is unlikely that one of ordinary skill in the art would believe that lipstick and makeup is intended to be carried in the “cellular bag”—items that Granneman believes are difficult to locate without illumination. To the contrary, it is submitted that one of ordinary skill in the art would recognize that the “bag” of Gaukel is more of a housing for these several components than a “handbag” with an interior that might need to be illuminated in order to provide access to toiletry items that need to be retrieved from the interior of the bag. In fact, Gaukel shows several items in the “cellular bag” that would make any such access to loose items difficult is not impossible.

It is therefore submitted that the cited patents, and especially the allegedly obvious combination of Gaukel, Granneman, Miyashita and Leibowitz set forth in the rejection of the Office Action, would not lead one skilled in the art to the applicant’s invention as required by claim 1. Further, claims 2 through 4, 6, 7 through 18 and 21, which depend from claim 1, also include the requirements discussed above and therefore are also submitted to be in condition for allowance.

Withdrawal of the §103(a) rejections of claims 1 through 4, 6 through 19 and 21 is therefore respectfully requested.

New Claims

New claim 22 defines a user operable personal alarm apparatus that comprises “a camouflaging receptacle adapted for a user to carry or wear”, “a liner disposed within and cooperating with the camouflaging receptacle so as to form a concealed cavity”, “a circuit including... alarm circuitry, including an alarm switch disposed upon the camouflaging receptacle and adapted for operation by the user” and “telecommunications circuitry disposed within the concealed cavity and in electrical communication with

the alarm circuitry". Claim 22 further requires that "the alarm circuitry is adapted to provide an alarm signal to the telecommunications circuitry upon operation of the alarm switch" and that "upon receipt of the alarm signal, the telecommunications circuitry is adapted to initiate a radio telephone communication to a predetermined emergency assistance service within a radio telephone system". Support for these requirements can be found in the specification and drawings, and page 31, lines 1 through 15 are representative. It is noted that, among other things, the cited documents do not include anything suggesting the claimed "a liner disposed within and cooperating with the camouflaging receptacle so as to form a concealed cavity".

New claim 23 depends from claim 22 and requires that "the circuit further comprises... positioning circuitry in electrical communication with the telecommunications circuitry, the positioning circuitry adapted to determine the location coordinates of the receptacle and to provide a signal to the telecommunications circuitry corresponding to such location coordinates" and that "upon establishing such radio telephone communication with the emergency assistance service in response to such an alarm signal, the telecommunications circuitry is adapted to provide a radio signal to the emergency assistance service corresponding to such location coordinates".

New claim 24 requires that "the positioning circuitry comprises a global positioning satellite (GPS) receiver".

New claim 25 requires that "the camouflaging receptacle comprises a purse".

New claim 26 requires that "the circuit further comprises voice interface circuitry adapted to accept audible input from the user, the voice interface circuitry in electrical communication and cooperating with the alarm circuitry so as to provide a voice activated alarm signal upon such

audible input from the user. Support for these requirements can be found in the specification and drawings, including, for example, at page 27, lines 24 through 29.

New claim 27 requires that "the circuit further comprises a microphone disposed upon the camouflaging receptacle, the microphone in electronic communication and cooperating with the alarm circuitry and with the telecommunications circuitry so as to detect and transmit environmental sounds to the emergency assistance service in response to such an alarm signal".

New claim 28 requires that "the liner further cooperates with the camouflaging receptacle so as to form a liner cavity", that "the camouflaging receptacle further comprises a closure means providing access to the liner cavity", and that "the alarm switch is disposed upon camouflaging receptacle so as to be operable by the user without accessing the liner cavity".

CONCLUSION

In light of the foregoing amendments and remarks, early reconsideration and allowance of this application are most courteously solicited.

Respectfully submitted,

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